

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

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|-----------------------------------|---|-------------------------|
| WILLIAM JOSEPH WEBB, JR., | : | |
| | : | |
| Plaintiff, | : | |
| | : | |
| v. | : | C. A. No. 07-31 – GMS |
| | : | |
| FIRST CORRECTIONAL MEDICAL, | : | |
| CORRECTIONAL MEDICAL SERVICES, | : | TRIAL BY JURY OF TWELVE |
| GOVERNOR RUTH ANN MINNER, | : | DEMANDED |
| COMMISSIONER STANLEY W. TAYLOR, | : | |
| BUREAU CHIEF PAUL W. HOWARD, | : | |
| MS. GINA WOLKEN, | : | |
| DR. ALI, DR. NIAZ, DR. JOHN DOE, | : | |
| DR. ANE DOE, CORRECTIONAL MEDICAL | : | |
| SERVICES GRIEVANCE HEARING STAFF, | : | |
| MS. ROSALIE VARGAS, | : | |
| JOHN DOE, AND JANE DOE, | : | |
| | : | |
| Defendants. | : | |

**CORRECTIONAL MEDICAL SERVICES' RESPONSES TO
PLAINTIFF'S REQUEST FOR PRODUCTION OF DOCUMENTS**

1. That Defendant produce and permit Plaintiff to inspect and to copy each of the following documents: (a) Plaintiff's complete medical file.

RESPONSE: See attached.

(b) Plaintiff's filed grievances and appeals with complete investigations and any notes, evidence.

RESPONSE: Objection. This request is overly-broad and unduly burdensome and seeks information that is not in the possession of Correctional Medical Services. Without waiving objection and subject thereto, all grievances possessed by Correctional Medical Services have been produced previously by Co-Defendants.

(c) A complete copy of all the contracts ever entered between CMS and Delaware Department of Corrections.

RESPONSE: Objection. This request is overly-broad and unduly burdensome and seeks information that is not relevant and not reasonably calculated to lead to admissible information and information that production of which would reveal trade secrets and be otherwise deleterious to the business interests of defendant.

(d) A complete copy of all evidence and statements you are preparing to enter into evidence to support your defenses at trial. (Make sure that any statements are made under oath.)

RESPONSE: To be provided as discovery continues.

(e) A complete copy of all protocols and standard operating procedures while CMS is employed by Delaware Department of Corrections.

RESPONSE: Objection. This request is overly-broad and unduly burdensome and seeks information that is irrelevant and not reasonably calculated to lead to admissible information. To the extent that Defendant identifies what protocols or procedures are relevant to this case as it pertains to defendant, to be provided as discovery continues.

(f) A complete list of expert witnesses that you plan to use, including their qualifications, educational status and employment status, along with whether or not they have ever been sued and/or internally written up by anybody and/or ever investigated for any reasons.

RESPONSE: Objection insofar as this request seeks information that is irrelevant, overly-broad and not reasonably calculated to lead to admissible information. Without waiving objections and subject thereto, experts will be disclosed pursuant to a Scheduling Order, along with the experts' CVs.

(g) All civil suits filed against CMS within the last ten years with all complaints, discovery, and dispositions/final orders against same.

RESPONSE: Objection. This request is overly-broad and unduly burdensome and

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seeks information that is irrelevant and not reasonably calculated to lead to admissible information, as well as information that may be obtained from other sources than answering defendant.

(h) All documents associated with Dr. Niaz's employment with CMS, including pay and any contracts, any complaints (internal or external).

RESPONSE: This interrogatory seeks information that is irrelevant, overly-broad, and not reasonably calculated to lead to admissible information. Without waiving objections and subject thereto, Plaintiff's allegations against Dr. Niaz occurred at a time when Dr. Niaz was not an employee of CMS.

(i) All documents associated with Gina Wolken's employment with CMS, including pay and contracts, any complaints (internal or external).

RESPONSE: Objection. This request is overly-broad, unduly burdensome, and seeks information that is inadmissible and not reasonably calculated to lead to admissible information. By way of further response and without waiving objections and subject thereto, Gina Wolken was only employed with CMS from 2000 to 2002.

(j) The hiring practices that allows CMS to hire the same employees of terminated medical healthcare providers by the Delaware Department of Corrections.

RESPONSE: Objection. This request is vague, overly-broad, unduly burdensome, and seeks information that is irrelevant and not reasonably calculated to lead to admissible information.

(k) All relevant information in CMS' possession that is relevant to this litigation.

RESPONSE: To the extent this request seeks information that is discoverable and not protected by privilege, to be provided as discovery continues.

(l) Any contact, whether by mail, e-mail, etc. that CMS has or may have received by any co-defendants.

RESPONSE: Objection. This request is overly-broad, unduly burdensome, and seeks information that is irrelevant, inadmissible and not reasonably calculated to lead to admissible information.

(m) A complete copy of all tests performed by outside contractors on Plaintiff, with costs, results, chain of custody, contracts, qualifications, along with whether or not they have ever been sued and/or internally written up by anybody and/or ever investigated for any reasons.

RESPONSE: Objection. This request is overly-broad and unduly burdensome, seeks information that is not reasonably calculated to lead to admissible information and/or information that is not in possession of answering defendant. Without waiving objections and subject thereto, please see Plaintiff's medical records attached.

(n) A complete copy of insurance information/policies.

RESPONSE: Objection. This information is irrelevant and not reasonably calculated to lead to admissible information.

Marks, O'Neill, O'Brien & Courtney, P.C.

By: **Ryan M. Ernst**
Ryan M. Ernst, Esquire/ID No. 4788
Megan T. Mantzavinos, Esquire/ID No. 3802
913 North Market Street, #800
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(302) 658-6538
Attorneys for Defendants

DATED: December 21, 2007

SEALED DOCUMENT

EXHIBIT

Plaintiff's medical records

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FOR THE DISTRICT OF DELAWARE

WILLIAM JOSEPH WEBB, JR.,

Plaintiff,

v.

FIRST CORRECTIONAL MEDICAL,
CORRECTIONAL MEDICAL SERVICES,
GOVERNOR RUTH ANN MINNER,
COMMISSIONER STANLEY W. TAYLOR,
BUREAU CHIEF PAUL W. HOWARD,
MS. GINA WOLKEN,
DR. ALI, DR. NIAZ, DR. JOHN DOE,
DR. ANE DOE, CORRECTIONAL MEDICAL
SERVICES GRIEVANCE HEARING STAFF,
MS. ROSALIE VARGAS,
JOHN DOE, AND JANE DOE,

Defendants.

C. A. No. 07-31 - GMS

TRIAL BY JURY OF
TWELVE DEMANDED

CERTIFICATE OF SERVICE

I, **Ryan M. Ernst**, Esquire hereby certify that on **December 21, 2007**, I electronically filed **Defendant Correctional Medical Services' Responses to Plaintiff's Request for Production of Documents** with the Clerk of Court using CM/ECF which will send notification of such filing(s) to the following:

Catherine Damavandi
Deputy Attorney General
State of Delaware Department of Justice
Carvel State Office Bldg.
820 N. French Street, 6th Floor
Wilmington, DE 19801

I have served via first class mail two copies of **Defendant Correctional Medical Services' Responses to Plaintiff's Request for Production of Documents** to the Pro Se Defendant:

William Joseph Webb, Jr., pro se
SBI # 256056
Delaware Correctional Center
1181 Paddock Road
Smyrna, DE 19977

/s/ Ryan M. Ernst

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